

FILED
IN CLERKS OFFICE

2004 SEP 28 P 12:27

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
U.S. DISTRICT COURT
DISTRICT OF MASS.

TMR ENERGY LIMITED,

Petitioner,

04MBD 1 0275

v.

Civil Action No. 03-0034 (TPJ)

THE STATE PROPERTY FUND OF UKRAINE

Respondent.

**CERTIFICATION OF JUDGMENT
FOR REGISTRATION IN ANOTHER COURT**

I, NANCY MAYER-WHITTINGTON, Clerk of this United States District Court certify that the attached judgment is a true and correct copy of the original judgment entered in this action on December 3, 2003, as it appears in the records of the court, and that:

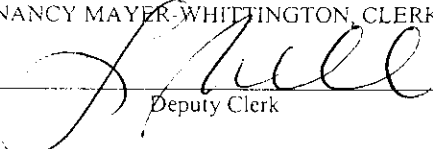
An appeal is pending, however, pursuant to instrument #43 in civil action No. 03-0034, the Court has ordered that TMR may register the judgment in any United States District Court.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on

SEP 21 2004

NANCY MAYER-WHITTINGTON, CLERK

By


Deputy Clerk

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2004 SEP 28 P 12:27

U.S. DISTRICT COURT
DISTRICT OF MASS.
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TMR ENERGY LIMITED,

Petitioner,

04 MBD 10275

v.

Civil Action No. 03-0034 (TPJ)

THE STATE PROPERTY FUND OF UKRAINE,

Respondent.

**CERTIFICATION OF ORDER PERMITTING
REGISTRATION IN ANY OTHER COURT**

I, NANCY MAYER-WHITTINGTON, Clerk of this United States District Court certify that the attached order is a true and correct copy of the original order entered in this action on August 27, 2004, as it appears in the records of the court, and that:

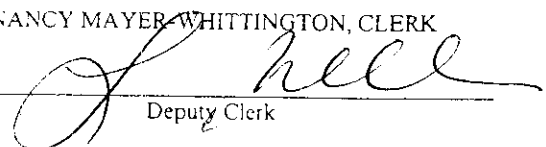
An appeal is pending, however, pursuant to this order, instrument #43, in civil action No. 03-0034, the Court has ordered that TMR may register the judgment in any United States District Court.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on

~~SEP 21 2004~~

NANCY MAYER-WHITTINGTON, CLERK

By


Deputy Clerk

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TMR ENERGY LIMITED,

Plaintiff,

v.

THE STATE PROPERTY FUND OF
UKRAINE

Defendant.

Civil Action No. 03-0034 (TPJ)

ECF
DOCUMENT

I hereby attest and certify that this is a printed copy of a
document which was electronically filed with the United States
District Court for the District of Columbia.
Date Filed: 8/27/04

By: NANCY MAYER-WHITTINGTON, CLERK
Catherine P. Chavre
ORDER

Before the Court are the motions of petitioner TMR Energy Limited ("TMR") for the Court to allow the Declaration of Lawrence M. Weiss, executed May 13, 2004 ("Weiss Declaration") to be filed under seal for *in camera* review by the Court, and for an order permitting TMR to enforce the judgment entered by this Court on December 3, 2003, for petitioner against respondent State Property Fund of Ukraine ("SPF"), pursuant to 28 U.S.C. § 1610(c), and granting leave for petitioner to register the judgment in any United States District Court, pursuant to 28 U.S.C. § 1963. Because petitioner has shown good cause for the granting of both motions, it is, this 26th day of August,

ORDERED, that petitioner's motions are granted; and it is

FURTHER ORDERED, that the Weiss Declaration will be filed under seal and be made part of the record in this case; and it is

FURTHER ORDERED, that petitioner be permitted to enforce the judgment entered by this Court on December 3, 2003 against respondent, pursuant to 28 U.S.C. § 1610(c), and that

that petitioner be allowed to register this judgment in any United States District Court, pursuant to 28 U.S.C. § 1963.

/s/

Thomas Penfield Jackson
U.S. District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TMR ENERGY, LTD.,

Petitioner,

v.

STATE PROPERTY FUND OF UKRAINE,

Respondent.

C.A. No. 03-0034 (TPJ)

ECF
DOCUMENT

I hereby attest and certify that this is a printed copy of a
document which was electronically filed with the United States
District Court for the District of Columbia.
Date Filed: 12-3-03

NANCY MAHER WHITTINGTON, CLERK
By: Michael Darby 9-14-04

ORDER

In accordance with the proceedings in open court of December 3, 2003, and upon consideration of petitioner's written motion for summary judgment and respondent's written motion to dismiss, and all other filings related thereto, for the reasons set forth upon the record, it is, this 3rd day of December, 2003,

ORDERED, that the motion to dismiss the petition for confirmation by respondent the State Property Fund of Ukraine is denied with prejudice; and it is

FURTHER ORDERED, that petitioner TMR Energy, Ltd.'s motion for summary judgment and confirmation of its arbitral award against respondent is granted, and the Clerk of the Court is directed to enter final judgment for petitioner TMR Energy, Ltd., against the State Property Fund of Ukraine, in the amount of \$41,412,987.20; and it is

FURTHER ORDERED, that judgment is stayed pending ruling upon an application for a stay pending timely appeal in the U.S. Court of Appeals for the District of Columbia Circuit.

_____/s/_____
Thomas Penfield Jackson
U.S. District Judge